**Candidate Information Pack**

Assistant Director (EL1), Enforcement Action

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| Job Reference  | OAIC-2025-006 |
| Type of vacancy and duration | Ongoing/Non-ongoing, Full-time/Part-time |
| Classification  | Executive Level 1 |
| Salary | EL1: $117,674 - $125,876 per annum plus 15.4% superannuation |
| Location | Sydney CBD (preferred location), however we will consider candidate applications from all other locations within Australia. |
| Contact officer for information | Andre Castaldi (02) 9942 4124 andre.castaldi@oaic.gov.au  |
| Email applications to | jobs@oaic.gov.au |
| Closing date for applications | Thursday, 6 February 2025 at 11:59pm AEDT |

## About the Office of the Australian Information Commissioner

Working with the Office of the Australian Information Commissioner (OAIC) will put you at the forefront of data protection and access to information regulation. As an independent statutory agency, the OAIC’s work is of national significance and plays an important role in shaping Australia’s information handling landscape across the economy - from government, digital platforms and the online environment, to health, finance and telecommunications. Our mission is to uphold and promote Australia’s privacy and freedom of information laws.

We are an agency within the Attorney-General’s Department portfolio with responsibility for:

* privacy functions under the *Privacy Act 1988* and the *Digital ID Act 2024*
* freedom of information functions, in particular review of decisions made by agencies and ministers under the *Freedom of Information Act 1982*
* privacy and confidentiality functions in relation to the Consumer Data Right (CDR) under the *Competition and Consumer Act 2010* (CCA).

## The team

The Regulatory Action division oversees the management of compliance, investigation and enforcement to promote adherence to the FOI Act and Privacy Act. This includes the management of Commissioner-initiated and some high-risk complaint investigations, complex NDB matters, general and funded assessments (including those for CDR and digital ID), and the enforcement of privacy and FOI legislation through legal action. This branch provides the agency with expertise in enforcement, investigations, and litigation, and ensures the OAIC can regulate proactively and strategically.

The Enforcement Action team supports Regulatory Action through working collaboratively with the Investigations & Compliance teams (as well as other areas of the Agency), managing enforcement litigation and regulatory action. This team is directed by the work of the Investigations and Compliance teams to guide activity and provides strategic advice to the compliance and investigation work as required. This team also contributes to legal strategy and supports the Commissioner to pursue civil penalties and take other enforcement action. This team supports the Commissioners to deliver the ongoing strategic regulation approach of the OAIC.

## About The Role

The Assistant Director (EL1), Enforcement Action, reports to the Director, Enforcement Action.

Duties may include:

* Manage litigation, including the Information Commissioner’s civil penalty proceedings and other significant matters, with support from external lawyers
* Conducting legal research and preparing legal and strategic advice (oral and written) to assist the Investigation and Compliance teams in their regulatory activities
* Drafting complex determinations and other enforcement documentation
* Providing legal input into briefs and submissions on law reform proposals relevant to FOI and privacy law
* Liaising effectively with both internal stakeholders including the business areas, and with external stakeholders, including external legal service providers, Counsel and other government agencies
* Representing the OAIC in internal and external forums
* Sharing knowledge within the team, training of staff and the development of guidance material.
* Other duties as required.

You will also support the OAIC’s shift towards a more harm-focused approach that actively engages with risk to develop legally sound solutions.

You will maintain a high level of integrity and discretion and abide by the APS Code of Conduct, combined with a demonstrated understanding of the principles and practices of WH&S, equity, and diversity in the workplace.

## Job Specific Capabilities, Skills & Experience

We are seeking applications from candidates who have:

* Legal qualifications including the ability to obtain and maintain a practicing certificate
* Experience operating in a regulatory environment
* Broad legal experience working with/in government, including litigation experience
* Knowledge of the Freedom of Information Act 1982 and the Privacy Act 1988
* Ability to provide impartial and forthright advice
* Experience in leading, guiding and mentoring a team.

These duties are to be performed in accordance with the APS Code of Conduct and APS Values and Office policies, including Workplace Diversity and Work Health and Safety. Under section 25 of the *Public Service Act 1999* the Office may re-assign the duties of an employee from time to time.

You are encouraged to familiarise yourself with the [APS Work Level Standards](https://www.apsc.gov.au/working-aps/aps-employees-and-managers/work-level-standards-aps-level-and-executive-level-classifications) for your relevant classification.

## Security requirements

You must be able to obtain and maintain a Negative Vetting Level 1 security clearance.

## Position location

The OAIC operates a hybrid work model with a combination of remote working and office attendance. Whilst the OAIC office is located in the Sydney CBD (and preferred), we will consider candidate applications from all other locations within Australia.

The OAIC values face-to-face interaction and fostering connection between our people and with our stakeholders. The OAIC’s hybrid work model expects in office attendance when the type of work or task is better suited to being completed from an office, for example, staff inductions and onboarding, planning days, relationship building activities and project or collaborative work.

## Remuneration and benefits

EL1 salary: $117,674 - $125,876 per annum plus 15.4% superannuation

The OAIC is committed to enabling its people to perform at their best and offers the following benefits:

* Opportunity to work at the cutting edge of privacy and data protection, paving the way for future career opportunities.
* Access to ongoing professional development, with a capability framework to guide skill enhancement.
* Genuine flexibility to help achieve a balance between work and home life.
* Additional paid leave over the Christmas to New Year period as well as access to other leave (e.g. for study or moving).
* Contribution to your wellbeing through subsidies for eye health, flu vaccinations and a wellbeing allowance.

The OAIC is committed to diversity and inclusion. We encourage and welcome applications from people living with disability, Aboriginal and Torres Strait Islander peoples, LGBTIQ+ people, people from culturally and linguistically diverse backgrounds, and mature age people.

## Eligibility

* Section 22 of the *Public Service Act 1999* requires that APS employees must be Australian citizens.
* There are restrictions on employment of people who have, within the previous 12 months, accepted a redundancy benefit from an APS agency or a non-APS Commonwealth employer.
* For the duration of your employment with the OAIC you will be required to obtain and maintain an Australian Government security clearance at the Negative Vetting Level 1 and meet required background, identification and character checks.
* Note: All duties are to be performed in accordance with the APS Code of Conduct and APS Values and OAIC policies, including Workplace Diversity and Work Health and Safety. Under section 25 of the *Public Service Act 1999* the OAIC may re-assign the duties of an employee from time to time.

## How to Apply

1. Please complete the application form found at the end of this job pack as part of your submission.
2. Please provide:
	1. a resume (aim for a maximum of 2-3 pages) and
	2. statement of claim of up to one A4 page, addressing the duties, capabilities, skills and experience relevant to the role outlined above. Your statement should include the use of practical and professional examples of your skills and experience as relevant to the role.
3. Your application form, CV and statement of claim should be collated as one document (where possible) and sent in a single email to: jobs@oaic.gov.au. Please ensure your email includes your full name in the email subject field, along with the job reference number found on the front page of this pack.

## Application Tips

Your pitch must be in a font size no smaller than size 10 and using a professional font selection *(e.g. Times New Roman, Calibri or Arial).*

To assist you in pitching your response and capabilities at the appropriate classification, you are encouraged to review the APS Work Level Standards which are available on the Australian Public Service Commission website – [click here.](https://www.apsc.gov.au/working-aps/aps-employees-and-managers/work-level-standards-aps-level-and-executive-level-classifications)

## Further Information

If you are shortlisted, you may be contacted to arrange an interview.

If you are not shortlisted, you will be informed by email. Please note that we are not usually able to provide feedback to candidates that are not shortlisted due to the volume of applications received.

A merit list of suitable candidates may be established and may be used to fill future vacancies that arise.

## Questions?

For more information please visit <https://www.oaic.gov.au/about-us/join-our-team> or reach out to the contact officer listed on the covering page of this job pack.

## Application Sheet

Please complete this form to apply for a position with the Office of the Australian Information Commissioner.

Any personal information you provide is protected by the *Privacy Act 1988* and will be used for recruitment purposes only. You can view our [human resources privacy policy](https://www.oaic.gov.au/about-us/our-corporate-information/key-documents/human-resources-privacy-policy/) on our website.

### Personal details

|  |  |
| --- | --- |
| Title |  |
| Given name |  |
| Surname |  |
| Preferred name |  |
| Contact Number  |  |

|  |  |
| --- | --- |
| Address line 1 |  |
| Address line 2 |  |
| Suburb |  |
| State |  |
| Postcode  |  |

### APS employment

If you are currently employed in the Australian Public Service (APS), please provide the following information:

|  |  |
| --- | --- |
| APS employer | Response |
| Australian Government Service Number (AGS) |  |
| APS Classification |  |
| Employment status (ongoing or non-ongoing) |  |

### Eligibility

|  |  |
| --- | --- |
| Requirement  | Response |
| Are you an Australian citizen? |  |
| Have you received a redundancy benefit, severance payment or similar benefit from an APS Agency or a non-APS Commonwealth employer within the last 12 months? |  |

### Accessibility adjustment of selection process

At times we may need to conduct a range of selection processes for example, preparing written work samples as well as an interview. Some assessment activities may be timed and/or could include reading from a computer screen or paper.

We understand that you may not wish to share information about your disability at this time, however the responses you provide will help us in making the selection process inclusive and give you the opportunity to request any necessary adjustments.

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| Adjustment  | Response |
| Are there any adjustments that you may require to the selection process? |  |
| If you do require adjustments to the selection process, please tell us what type of adjustments you require. |  |

### Merit Pool Sharing

A merit pool is a group of applicants that have been deemed suitable for an advertised vacancy, however they are not considered the preferred candidate or appointed to the advertised role.

Applicants who are placed in a merit pool may be considered for future vacancies if the new vacancy meets the merit sharing principals outlined below:

* The vacancy is at the same classification.
* The vacancy is the same category of employment (ongoing or non-ongoing).
* The vacancy comprises of similar duties.
* The vacancy is in a similar location.

Applicants who are placed in a merit pool and agree to be considered for subsequent vacancies:

* Will have their details maintained by the OAIC for a period of up to 18 months from the date the vacancy was advertised.
* May have their information provided to other Commonwealth Agencies employing under the *Public Service Act 1999* or *Parliamentary Services Act 1999* to fill similar roles across the Australian Public Service.

 **If you are assessed as suitable and placed in a merit pool, do you consent to your application, CV and assessment information being shared with other Commonwealth Agencies to fill similar roles in the Australian Public Service?**

[ ]  Yes, I agree for my application details to be shared as outlined above.

[ ]  No, I do not agree for my application/details to be shared and would like to opt out.

### Submitting your application

When you are ready to submit your application, please send the following document (as one document) by email to jobs@oaic.gov.au:

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| I have included as one document | ✓ |
| Attached my completed application form |[ ]
| Attached my CV (maximum of 2-3 pages)(Including details of two referees, one being my current manager/supervisor)  |[ ]
| Statement of claim of up to one A4 page, addressing the duties, capabilities, skills and experience relevant to the role outlined above. Your statement should include the use of practical and professional examples of your skills and experience as relevant to the role. | [ ]  |
| *Declaration:* In submitting my application, I acknowledge that the information I have supplied is true and correct. I understand that providing false or misleading statements may disqualify me from this process and future APS employment.  | [ ]  |